

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

DENNIS MONTGOMERY, et al.,)	CASE NO. 3:06-CV-00056-PMP-VPC
)	
Plaintiff(s),)	MINUTES OF COURT
)	
vs.)	DATE: October 3, 2007
)	
ETREPPID TECHNOLOGIES, et al.,)	
)	
Defendant(s),)	
)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

Deputy Clerk: Lisa Mann Reporter: None Appearing

Counsel for Plaintiff(s): None Appearing

Counsel for Defendant(s): None Appearing

MINUTE ORDER IN CHAMBERS XXX

On September 11, 2007, this Court issued an order directing that a Rule 16 case management conference be scheduled in this proceeding, and further directed the parties to file a joint case management report not less than seven days prior to the case management conference (#263). At a subsequent hearing, counsel for plaintiffs advised the Court of their concerns regarding compliance with the case management order, since they are not in possession of their client's original files (#272). The Court determined that notwithstanding these concerns, plaintiffs' counsel can participate in the case management process by referring to documents on file with the Court. *Id.* The Court further ordered the parties to meet and confer and make a good faith effort to comply with its order. *Id.* Thereafter, the case management conference was scheduled for Thursday, October 11, 2007 at 10:00 a.m. *Id.*

On September 28, 2007, the parties filed a document styled, "Joint Status Report re Case Management Conference" (#298). This document fails to comply with this Court's prior orders governing the preparation of the case management report, and it is evident that the parties failed to meet and confer in good faith as ordered by this Court.

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The October 11, 2007 case management conference shall proceed as scheduled in this action, and counsel shall prepare the case management report as earlier ordered (#263) and file it with the Clerk of Court no later than **5:00 p.m. on Monday, October 8, 2007.**

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____ /s/
Lisa Mann, Deputy Clerk